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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

20 BARBARA HUBBARD,

Case No. 08cv0564 W (LSP)

21 Plaintiff,

22 VS.

23 SMART & FINAL STORES, LLC dba  
24 SMART & FINAL #463; SMART &  
25 FINAL PROPERTIES I, LLC,

**JOINT MOTION FOR  
DISMISSAL**

26 Defendants.

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IT IS HEREBY JOINTLY REQUESTED, pursuant to settlement and release agreements between plaintiffs, BARBARA HUBBARD, and defendant, SMART & FINAL STORES, LLC dba SMART & FINAL #463; SMART & FINAL PROPERTIES I, LLC, that this Court enter a dismissal with prejudice of plaintiff's complaint in the above-entitled action pursuant to Fed. R. Civ. P. 41 as to defendant SMART & FINAL STORES, LLC dba SMART & FINAL #463; SMART & FINAL PROPERTIES I, LLC, only.

Nothing in this Joint Motion shall be construed to affect plaintiffs' complaint and claims in the above referenced case against defendant other than defendant **SMART & FINAL STORES, LLC dba SMART & FINAL #463; SMART & FINAL PROPERTIES I, LLC, only.**

Dated: June 17, 2008  
DISABLED ADVOCACY GROUP, APIC

/s/ Lynn Hubbard  
LYNN HUBBARD, III  
Attorney for Plaintiff Barbara Hubbard

Dated: June 17, 2008  
LAW OFFICES OF DAVID G. FREEDMAN

/s/ David Freedman  
DAVID FREEDMAN  
Attorney for Defendant Smart & Final

## **PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF BUTTE

I, Jacqueline Martin, am employed in the aforesaid County; I am over the age of 18 years and not a party to the within action; my business address is 12 Williamsburg Lane, Chico, Butte County, California 95926.

On June 17, 2008, I caused the document(s) described as: **JOINT MOTION FOR DISMISSAL** to be served on the interested parties in this action as follows:

On all parties identified for Notice of Electronic Filing generated by the Court's CM/ECF system  
under the above referenced case caption and number on this date, in the following manner:

The following is a procedure in which service of this document was effected:

- (xx) ELECTRONIC SERVICE - by causing the document to be served via the Court's ECF Filing System.
  - ( ) OVERNIGHT DELIVERY - by causing said envelope(s) to be delivered overnight via an overnight delivery service in lieu of delivery by mail to the addressee(s).
  - ( ) FAX - by transmitting pursuant to Rules 2001 et seq., the above-described document(s) by facsimile machine (which complied with Rule 2003(3)). The transmission originated from facsimile phone number (530) 894-8244, and was reported complete without error. The facsimile machine properly issued a transmission report.
  - ( ) PERSONAL SERVICE - by causing to be delivered such document by hand to the offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: June 17, 2008

/s/ Jacqueline Martin  
Jacqueline Martin